

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a,  
BRAZOS LICENSING AND  
DEVELOPMENT

*Plaintiff,*

v.

GOOGLE LLC,

*Defendant.*

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Civil Case No. 6:20-cv-572-ADA

Civil Case No. 6:20-cv-580-ADA

Civil Case No. 6:20-cv-584-ADA

Civil Case No. 6:20-cv-585-ADA

JURY TRIAL DEMANDED

**DEFENDANT GOOGLE LLC'S 35 U.S.C. § 282 NOTICE OF PRIOR ART**

Pursuant to 35 U.S.C. § 282(c), Defendant Google LLC hereby provides notice that, at trial, it may rely on the following prior-art references and/or persons with knowledge regarding prior art for U.S. Patent Nos. 8,041,806 (Case No. 6:20-cv-572-ADA); 7,946,491 (Case No. 6:20-cv-580-ADA); 8,803,697 (Case No. 6:20-cv-584-ADA); and 8,737,961 (Case No. 6:20-cv-585-ADA) (the "Asserted Patents"). Google may also rely on the Asserted Patents' file histories, including all references cited therein, and related patents and their file histories. Google also incorporates by reference all information set forth in Google's expert reports served on Plaintiff WSOU Investments, LLC in the above-captioned matters, as well as Google's invalidity contentions, including all materials cited therein and exhibits, expert witness testimony, discovery responses, and trial exhibit and witness lists. Unless expressly indicated otherwise, all pages of the publications listed below are relevant prior art to the Asserted Patents. Google reserves the right to supplement this notice as appropriate, including the right to rely on additional prior art at trial for the purposes of showing the state of the art, providing technical background, and to respond to any positions taken by WSOU that were not disclosed during fact and expert discovery.

**I. PATENTS AND PATENT APPLICATION PUBLICATIONS****A. U.S. PATENT NO. 8,041,806 (CASE NO. 6:20-CV-572-ADA)**

<b>Country</b>	<b>Patent/Publication No.</b>	<b>Issue/Publication Date</b>	<b>Title</b>	<b>Inventor Names</b>	<b>Current Assignee (U.S.) OR Applicant (Korea)</b>
U.S.	2006/0090184	Apr. 27, 2006	System and Method for Presenting Information	David Zito; Joseph Essas	Oath Inc.
U.S.	10,181,135	Jan. 15, 2019	Method and Apparatus for Presenting Advertisements	Canhui Oh; J. Bradley Bridges; Charles R. Kalmanek; Raghvendra G. Savor; Albert G. Greenberg; Stephen Sposato; Zhi Li; Jerold Osato; Alexandre Gerber; Oliver Spatscheck; Sun-Uk Park	AT&T Intellectual Property I, LP
U.S.	2006/0195441	Aug. 31, 2006	System and Method for Delivering Content to Users on a Network	Luc Julia; James Behrens; Johan Le Nerriec	Qualcomm Atheros, Inc.
U.S.	2002/0123928	Sept. 5, 2002	Targeting Ads to Subscribers Based on Privacy-Protected Subscriber Profiles	Charles A. Eldering; John A. Schlack; Herbert M. Lustig	Prime Research Alliance E, LLC

**B. U.S. PATENT NO. 7,946,491 (CASE NO. 6:20-cv-580-ADA)**

<b>Country</b>	<b>Patent/Publication No.</b>	<b>Issue/Publication Date</b>	<b>Title</b>	<b>Inventor Names</b>	<b>Current Assignee (U.S.) OR Applicant (Korea)</b>
U.S.	7,607,581	Oct. 27, 2009	Digital Imaging-Based Code Symbol Reading System Permitting Modification of System Features and Functionalities	Anatoly Kotlarsky; Xiaoxun Zhu	Metrologic Instruments, Inc.; Meteor Holding Corp.; Omniplanar, Inc.
U.S.	2005/0011957	Jan. 20, 2005	System and Method for Decoding and Analyzing Barcodes Using a Mobile Device	Olivier Attia; Prateek Shrivastava; Roman Zastepine; Avi Outmezguine	Scanbuy, Inc.
U.S.	2005/0082370	Apr. 21, 2005	System and Method for Decoding Barcodes Using Digital Imaging Techniques	Didier Frantz; Prateek Shrivastava; Ashish Muni; Avi Outmezguine	Amalgamated Bank
U.S.	2005/0103858	May 19, 2005	Hand-Supportable Imaging-Based Bar Code Symbol Reader Employing a Tri-Mode LED-Based Illumination Subsystem	Xiaoxun Zhu; Yong Liu; Ka Man Au; Rui Hou; Hongpeng Yu; Xi Tao; Liang Liu; Wenhua Zhang; Anatoly Kotlarsky; Sankar Ghosh; Michael Schnee; Pasqual Spatafore; Thomas Amundsen; Sung Byun; Mark Schmidt;	Metrologic Instruments, Inc.; Meteor Holding Corp.; Omniplanar, Inc.

Country	Patent/Publication No.	Issue/Publication Date	Title	Inventor Names	Current Assignee (U.S.) OR Applicant (Korea)
				Garrett Russell; John Bonanno; C. Harry Knowles	
U.S.	2002/0044689	Apr. 18, 2002	Apparatus and Method for Global and Local Feature Extraction from Digital Images	Alex Roustaei; Kevin Xiao; Wenji Xia	Symagery Microsystems, Inc.
U.S.	5,834,749	Nov. 10, 1998	Optical Image Capture System for Reading Targets at Oblique Angles	Dennis A. Durbin	Intermec IP Corp.

**C. U.S. PATENT NO. 8,737,961 (CASE NO. 6:20-CV-585-ADA)**

<b>Country</b>	<b>Patent/Publication No.</b>	<b>Issue/Publication Date</b>	<b>Title</b>	<b>Inventor Names</b>	<b>Current Assignee (U.S.) OR Applicant (Korea)</b>
U.S.	2010/0317371	Dec. 16, 2010	Context-Based Interaction Model for Mobile Devices	William J. Westerinen; Miller T. Abel; Charles J. Migos	Microsoft Technology Licensing, LLC
U.S.	7,848,765	Dec. 7, 2010	Location-Based Services	Alan Phillips; Frank Schroth; Geoffrey M. Palmer; Stefan G. Zilinski; Allen P. Smith; Colin M. Cunningham, III	Paypal, Inc.
U.S.	2004/0266457	Dec. 30, 2004	Wireless Location Gateway and Applications Therefor	Dennis J. Dupray	Mobile Maven LLC
U.S.	2009/0005987	Jan. 1, 2009	Determining Locations of Interest Based on User Visits	Darren E. Vengroff; Oliver B. Downs	JPMorgan Chase Bank, N.A.

**D. U.S. PATENT NO. 8,803,697 (CASE NO. 6:20-CV-584-ADA)**

<b>Country</b>	<b>Patent/Publication No.</b>	<b>Issue/Publication Date</b>	<b>Title</b>	<b>Inventor Names</b>	<b>Current Assignee (U.S.) OR Applicant (Korea)</b>
U.S.	2008/0134102	June 5, 2008	Method and System for Detecting Movement of an Object	Catrine Movold; Marten A. Jonsson; Lars D. Mauritzson; Gunnar Klinghult; Johanna L. Meiby	Sony Ericsson Mobile Communications AB
Korea	10-2010-0024552	Mar. 8, 2010	Method for Controlling Audio Output and Input of Electronic Device Using User's Gesture	Joo-Min Kim	LG Electronics Inc.
U.S.	9,335,825	May 10, 2016	Gesture Control	Terhi Tuulikki Rautiainen; Ping Hui; Risto Heikki Sakari Kaunisto; Ilari Aleksi Teikari; Jani Petri Juhani Ollikainen	OT WSOU Terrier Holdings, LLC
U.S.	2008/0117094	May 22, 2008	Mobile Electronic Device Equipped with Radar	Mats Lindoff; Magnus Blomkvist	Sony Ericsson Mobile Communications AB

**II. PRINTED PUBLICATIONS****A. U.S. PATENT NO. 8,041,806 (CASE NO. 6:20-CV-572-ADA)**

<b>Author(s)</b>	<b>Title</b>	<b>Publication Information</b>	<b>Year</b>
Young H. Cho & William Mangione-Smith	Deep Packet Filter with Dedicated Logic and Read Only Memories	12th Annual IEEE Symposium on Field-Programmable Custom Computing Machines	2004
Young H. Cho & William Mangione-Smith	Programmable Hardware for Deep Packet Filtering on a Large Signature Set	First Watson Conference on Interaction Between Architecture, Circuits and Compilers	2004
Young H. Cho & William Mangione-Smith	A Pattern Matching Co-processor for Network Security	DAC 2005,	2005

**B. U.S. PATENT NO. 8,737,961 (CASE NO. 6:20-CV-585-ADA)**

<b>Author(s)</b>	<b>Title</b>	<b>Publication Information</b>	<b>Year</b>
Jeffrey Hightower; Sunny Consolvo; Anthony LaMarca; Ian Smith; Jeff Hughes	Learning and Recognizing the Places We Go	Beigl, M., Intille, S.S., Rekimoto, J., Tokuda, H. (eds.) UbiComp 2005. LNCS, vol. 3660, pp. 159-176. Springer-Verlag Berlin Heidelberg	2005

**III. PRIOR-ART SYSTEMS<sup>1</sup>****A. U.S. PATENT NO. 7,946,491 (CASE NO. 6:20-cv-580-ADA)**

<b>System Name / Brand Name</b>	<b>Offer for Sale / Sale / Public Use Dates / Location</b>	<b>Entities with Knowledge About Offer for Sale / Sale / Public Use</b>
Scanbuy System	<p>No later than December 2005</p> <p>Material regarding the Scanbuy system includes, but is not limited to, the following:</p> <p>SCANBUY_WSOU00001;  SCANBUY_WSOU00013;  SCANBUY_WSOU00022;  SCANBUY_WSOU00033;  SCANBUY_WSOU00114;  SCANBUY_WSOU00571;  SCANBUY_WSOU00589;  SCANBUY_WSOU00600;  SCANBUY_WSOU00603;  SCANBUY_WSOU00621;  SCANBUY_WSOU00638;  SCANBUY_WSOU00664;  SCANBUY_WSOU00665;  SCANBUY_WSOU00668;  SCANBUY_WSOU00669;  SCANBUY_WSOU00671;  SCANBUY_WSOU00673;</p>	<p>Scanbuy, Inc.  Mr. Didier Frantz</p>

<sup>1</sup> Additional materials relating to the identified prior-art systems can be found in Google's Invalidity Contentions and expert reports of Dr. Dan Schonfeld and Dr. Gregory Welch. Google reserves the right to rely on additional materials obtained through further investigation, including any additional information obtained from WSOU and/or third parties.



<b>System Name / Brand Name</b>	<b>Offer for Sale / Sale / Public Use Dates / Location</b>	<b>Entities with Knowledge About Offer for Sale / Sale / Public Use</b>
	GOOG-WSOU580-PA-00000886; GOOG-WSOU580-PA-00000887; GOOG-WSOU580-PA-00000891; GOOG-WSOU580-PA-00000919; and GOOG-WSOU580-PA-00000971-1071	

**B. U.S. PATENT NO. 8,737,961 (CASE NO. 6:20-CV-585-ADA)**

<b>System Name / Brand Name</b>	<b>Offer for Sale / Sale / Public Use Dates / Location</b>	<b>Entities with Knowledge About Offer for Sale / Sale / Public Use</b>
BeaconPrint System	No later than December 2005  Material regarding the BeaconPrint system includes, but is not limited to, the following:  GOOG-WSOU585-PA-00000098; GOOG-WSOU585-PA-00000011; GOOG-WSOU585-PA-00000053; and GOOG-WSOU585-PA-00000468.	Jeffrey Hightower; Sunny Consolvo; Anthony LaMarca; Ian Smith; Jeff Hughes

#### **IV. KNOWLEDGEABLE PERSONS<sup>2</sup>**

Google identifies the persons previously disclosed in, among other things, Google's initial disclosures, discovery responses, pleadings (including documents submitted therewith), invalidity contentions, and expert reports as persons having knowledge of prior art to or the state of the art relating to the asserted patents. Google incorporates by reference its trial witness list and disclosure in its entirety. While Google has specifically identified the individuals it believes will provide the most directly relevant information regarding invalidity of the asserted patents, the testimony of other fact and expert witnesses may be relevant to issues such as the state of the art and motivation to combine or modify.

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<sup>2</sup> Google reserves the right to rely upon information from the inventors, authors, and assignees identified in the documents and products identified in this notice.

Date: September 1, 2023

Respectfully submitted,

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